

REMARKS

Claims 1-15 are currently pending in the present application. Claims 5-10 and 14-15 have been amended to correct for multiple dependency. Claim 9 has also been amended to recite the heat treatment step is performed in an atmosphere isolated from oxygen. Adequate written descriptive support for this amendment can be found, for example, on page 30, last paragraph, of the present specification. Based on the nature of these amendments, it is respectfully submitted that no new matter has been added to the application.

CLAIM OBJECTIONS

Claims 5-10, 14 and 15 were objected to as being in improper multiple dependent form. Applicant has amended these claims to place them in proper multiple dependency. Accordingly, reconsideration and withdrawal of this objection are respectfully solicited.

REJECTION UNDER 35 USC 102

Claims 1, 2, 11, and 12 were rejected under 35 USC 102(e) as being anticipated by Grot. The rejection is traversed and it is respectfully submitted that claims 1, 2, 11, and 12 are patentable within the meaning of 35 USC 102(e).

Both independent claims 1 and 11 comprise a step C) which requires applying a second coating solution containing a catalyst 2 onto an ion exchange membrane to form a second catalyst layer.

Grot does not teach or suggest applying a second coating solution onto an ion exchange membrane. Rather, Grot teaches forming two half assemblies and then hot pressing the half assemblies together. The half assemblies of Grot include a blank decal 10 coated with a catalyst slurry 11, which is further coated with an ionomer solution 12. The assembly 10, 11, and 12 is the half assembly that Grot refers to. It should be noted that these layers have already been cured

prior to combining the half assemblies. Nowhere does Grot teach applying a second coating solution onto the ion exchange membrane, as required in independent claims 1 and 11.

In the Office Action, the Examiner appears to suggest that the combination of the two half assemblies reads on step C of the independent claims. However, Grot does not suggest that the half membrane electrode assemblies are in solution form. Binding cured layers as Grot teaches, and applying a coating solution as required in the claims, are not identical steps.

Based on the foregoing, it is respectfully submitted that the application is now in condition for allowance. Favorable consideration and allowance of the application are respectfully solicited.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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